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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,772	07/13/2000	Scott Allen Carroll	auS9-2000-0323-US1	3973

7590 12/31/2003

Edmond A DeFrank  
20145 VIA MEDICI  
Northridge, CA 91326

EXAMINER
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HENEGHAN, MATTHEW E

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 12/31/2003

4/

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/615,772

Applicant(s)

CARROLL ET AL.

Examiner

Matthew Heneghan

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-32 have been examined.

***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: item "100" on page 5. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: figure 1, items "115," "132," and "134." A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Specification***

4. The use of the trademarks Netscape Navigator<sup>®</sup>, Microsoft<sup>®</sup> Internet Explorer, IBM<sup>®</sup> RISC System/6000, and AIX<sup>®</sup> have been noted in this application. They should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-4, 6-12, 14-17, and 19-32 are rejected under 35 U.S.C. 102(b) as being anticipated by the public use in the United States of “@Guard”, by WRQ, Inc., released in 1998, as described by “AtGuard Getting Started Guide,” 1999 and “FAQs About Privacy, Cookies, and Referer Fields,” 1999.

As per claims 1, 4, 6-9, 11, 12, 16, 17, 19, 21-32, @Guard monitors and controls access of cookies by network web servers on a web browser, and maintains a count of prohibited accesses on a graphical user interface (see Guide, pp. 4-5).

As per claim 2, @Guard may be configured to detect cookie access on a per-server basis (see FAQ, pp. 1-2).

As per claim 3, cookie information is inherently confidential, as it associates a client with a server's application.

As per claims 10 and 20, @Guard can return the prohibited string in the Cookie Box (see FAQ, p.2, "Reply").

As per claims 14 and 15, the implementation of @Guard with a single rule would yield a specific server access notification.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5, 13, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over the public use in the United States of "@Guard", by WRQ, Inc., released in 1998, as described by "AtGuard Getting Started Guide," 1999 and "FAQs About Privacy, Cookies, and Referer Fields," 1999 as applied to claims 1, 11, and 16 above, and further in view of U.S. Patent No. 5,434,562 to Reardon.

@Guard does not provide an audible alert in the event of a prohibited access attempt.

The method for restricting computer access disclosed by Reardon provides for a sound alarm in the event of an intrusion, as it may be desirable to alert the user (see column 5, lines 15-22).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify AtGuard by adding a sound alarm, as disclosed by Reardon, as it may be desirable to alert the user.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Logue et al., "The unofficial @Guard FAQ," 1998, further describes @Guard.

U.S. Patent No. 5,826,009 to Feng discloses a computer that self-destructs in the event of a prohibited access.

U.S. Patent No. 5,928,363 to Ruvolo discloses a system that detects and logs unauthorized web browser session accesses.

U.S. Patent No. 5,974,549 to Golan discloses a monitor that detects prohibited accesses during web browser usage.

U.S. Patent No. 5,983,348 to Ji discloses a scanner for detecting intrusions via web application programs.

U.S. Patent No. 6,085,224 to Wagner discloses a system for detecting events in network data streams.

U.S. Patent No. 6,374,359 to Shrader et al. discloses a system for forcing the refreshing of cookies.

U.S. Patent No. 6,401,125 to Makarios et al. discloses a system for tracking the states of connections between web servers and clients.

U.S. Patent No. 6,460,141 to Olden discloses an authorization server for matching web servers to their applications' cookies.

U.S. Patent No. 6,529,938 to Cochran et al. discloses a system for screening server-initiated operations being executed on client computers.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew E. Heneghan, whose telephone number is (703) 305-7727. The examiner can normally be reached on Monday-Thursday from 8:00 AM - 4:00 PM Eastern Time. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached on (703) 308-4789.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, DC 20231

**Or faxed to:**

(703) 872-9306

Hand-delivered responses should be brought to Crystal Park 2, 2121 Crystal Drive, Arlington, VA 22202, Fourth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

MEH



December 29, 2003



GREGORY MORSE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100